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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

JOSEPH S. POPKIN REVOCABLE TRUST
DATED FEBRUARY 9, 2006, a Florida trust,
ESTATE OF JOSEPH S. POPKIN, ROBIN
POPKIN LOGUE, as trustee of the Joseph S.
Popkin Revocable Trust Dated February 9, 2006,
and as the personal representative of the Estate of
Joseph S. Popkin, SHARON POPKIN, DARA N.

Adv. Pro. No. 10-04712 (SMB)

SIMONS (a.k.a. DARA L. SIMONS) and MARK
POPKIN,

Defendants.

**STIPULATION AND ORDER FOR
VOLUNTARY DISMISSAL OF CERTAIN DEFENDANTS WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated Estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and defendants Estate of Joseph S. Popkin (“Estate”) and Robin Popkin Logue, as personal representative of the Estate (“Defendants”), by and through their counsel, Seeger Weiss LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed the Complaint against Defendants and other defendants.
2. On or about November 30, 2016, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [ECF No. 3181].
3. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding as to Defendants without prejudice.
4. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

5. Upon dismissal of Defendants, the caption of the Adversary Proceeding is hereby amended to delete Defendants from the caption. The amended caption of the Adversary Proceeding shall appear as indicated in Exhibit A to this Stipulation and Order.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 12, 2017
New York, New York

Of Counsel:

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Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard
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Attorneys for Defendants

SO ORDERED

Dated: January 13, 2017
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

Exhibit A

**UNITED STATES BANKRUPTCY COURT
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DATED FEBRUARY 9, 2006, a Florida trust,
ROBIN POPKIN LOGUE, as trustee of the Joseph
S. Popkin Revocable Trust Dated February 9, 2006,
SHARON POPKIN, DARA N. SIMONS (a.k.a.
DARA L. SIMONS) and MARK POPKIN,

Defendants.

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